

JUN 21 2011

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. SMOLEY, CLERK  
BY:   
DEPUTY CLERK

UNITED STATES OF AMERICA

Case No. 7:99-cr-00032-1

v.

ORDER

CALVIN BERNARD GREEN,  
Petitioner.

By: Hon. James C. Turk  
Senior United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is hereby

**ORDERED**

that petitioner's motion for reconsideration is **DENIED** and is construed as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255; the § 2255 motion is **DISMISSED** without **prejudice** as successive; a Certificate of Appealability is **DENIED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the United States.

ENTER: This 21<sup>st</sup> day of June, 2011.

  
Senior United States District Judge